

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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AGUSTINA BUENO

Case No.: 1:16-cv-04737-WFK-
VMS

Plaintiff,

-against-

MEL S. HARRIS AND ASSOCIATES, LLC, *et al.*

Defendants.
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JOINT DISCOVERY STIPULATION

All parties to this action hereby stipulate and agree as follows:

1. Depositions will take place after, and not before, the Court issues an order on the parties' anticipated motions for summary judgment.
2. The depositions taken in *Guzman v. Mel S Harris and Associates, LLC, et al.*, No. 1:16-cv-03499-GBD-RLE (S.D.N.Y.) ("*Guzman*") may be used as if taken in the instant action for purposes of briefing the parties' motions for summary judgment. In accordance with this arrangement:
 - a. The deposition transcript of Rocco Nittoli, the corporate representative for LR Credit 13, LLC in *Guzman*, will be treated as the deposition transcript of the corporate representative for Defendant LR Credit 18, LLC in the instant action for purposes of briefing the parties' motions for summary judgment; and
 - b. References to LR Credit 13, LLC in the Rocco Nittoli and William Mlotok deposition transcripts from *Guzman* are interchangeable with Defendant LR Credit 18, LLC for

- purposes of briefing the parties' motions for summary judgment in the instant action;
- c. The deposition of William Mlotok taken in *Guzman* will be treated as if taken in this action;
 - d. Any portion of any *Guzman* deposition transcript that was designated as "Confidential" in that proceeding shall be treated as "Confidential" in this action pursuant to the Protective Order entered by this Court on May 11, 2017 and pursuant the Protective Order entered in *Guzman*.
3. Further, the deposition of Todd Fabacher taken in *Guzman* shall be treated as taken in this action for all purposes.

SO ORDERED:

MAGISTRATE JUDGE VERA M. SCANLON

Dated: _____

AGREED:

Defendant LR CREDIT 18, LLC

By: /s/
Scott Balber
Herbert Smith Freehills NY LLP

10/20/2017
Dated: _____

Defendant SAMSERV, INC and WILLIAM MLOTOK

By: /s/
Jeffrey Lichtman
O'Hare Parnagian LLP

10/20/2017
Dated: _____

Plaintiff AGUSTINA BUENO

By: /s/
Ahmad Keshavarz
The Law Office of Ahmad Keshavarz

10/20/2017
Dated: _____